

FILED FEB 17 1999  
H.B. No. 1574

By Bosse

A BILL TO BE ENTITLED  
AN ACT

relating to the permitting of discharges from certain on-site  
sewage disposal systems in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
by adding Section 26.050 to read as follows:

Sec. 26.050. ON-SITE SEWAGE DISPOSAL SYSTEM. (a) To the extent not in conflict with federal law, the commission by rule shall authorize the issuance of a permit, under less stringent standards, for the discharge of sewage into or adjacent to water in this state by an on-site sewage disposal system if:

(1) the system is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code;

(2) the system is on a property that was subdivided and developed before January 1, 1979;

(3) a county order or resolution has authorized the discharge; and

(4) the commission has approved the county order or resolution authorizing the discharge.

(b) For purposes of this section, "on-site sewage disposal system" has the meaning assigned by Section 366.002, Health and Safety Code.

SECTION 2. The importance of this legislation and the

1 crowded condition of the calendars in both houses create an  
2 emergency and an imperative public necessity that the  
3 constitutional rule requiring bills to be read on three several  
4 days in each house be suspended, and this rule is hereby suspended,  
5 and that this Act take effect and be in force from and after its  
6 passage, and it is so enacted.

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

STARTED 11:00 AM  
11:00 AM

By Bosse

H.B. No. 1574

Substitute the following for H.B. No. 1574:

By Counts

C.S.H.B. No. 1574

A BILL TO BE ENTITLED

AN ACT

relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0405 to read as follows:

Sec. 26.0405. GENERAL PERMITS FOR CERTAIN SEWAGE TREATMENT AND DISPOSAL SYSTEMS. (a) To the extent not in conflict with state water quality standards or federal law, the commission shall issue one or more general permits for the discharge of treated sewage into or adjacent to water in this state by a sewage treatment and disposal system if the system:

(1) produces not more than 5,000 gallons of waste each day;

(2) is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code, and that has:

(A) adopted a resolution under Section 7.352 that authorizes the county to exercise enforcement power under Subchapter H, Chapter 7; and

(B) entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit;

(3) provides sewage treatment and disposal for a

1 single-family residence for which the commission determines a  
2 connection to an existing or proposed area-wide or regional waste  
3 collection, treatment, and disposal system is not feasible; and

4 (4) is on a property that:

5 (A) was subdivided and developed before January  
6 1, 1979; and

7 (B) is of insufficient size to accommodate  
8 on-site disposal of all wastewater in compliance with Chapter 366,  
9 Health and Safety Code.

10 (b) A person who discharges under a permit issued under this  
11 section is not required to hold a certificate of competency issued  
12 under Section 26.0301.

13 (c) For a permit issued under this section, the commission  
14 shall for each system:

15 (1) specify the design, operation, and maintenance  
16 requirements; and

17 (2) establish the primary and secondary treatment  
18 requirements.

19 (d) A system for which a permit is issued under this section  
20 is subject to design criteria established under Chapter 366, Health  
21 and Safety Code, and is not subject to design criteria established  
22 under Section 26.034.

23 SECTION 2. The importance of this legislation and the  
24 crowded condition of the calendars in both houses create an  
25 emergency and an imperative public necessity that the  
26 constitutional rule requiring bills to be read on three several  
27 days in each house be suspended, and this rule is hereby suspended,

C.S.H.B. No. 1574

1       and that this Act take effect and be in force from and after its  
2       passage, and it is so enacted.

COMMITTEE REPORT

The Honorable James E. "Pete" Laney  
Speaker of the House of Representatives

3/31/99  
(date)

Sir:

We, your COMMITTEE ON NATURAL RESOURCES

to whom was referred HB 1574 have had the same under consideration and beg to report back with the recommendation that it

- ( ) do pass, without amendment.  
( ) do pass, with amendment(s).  
(x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
(x) yes ( ) no A fiscal note was requested.  
( ) yes (x) no A criminal justice policy impact statement was requested.  
( ) yes (x) no An equalized educational funding impact statement was requested.  
( ) yes (x) no An actuarial analysis was requested.  
( ) yes (x) no A water development policy impact statement was requested.  
( ) yes (x) no A tax equity note was requested.  
(x) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Counts, Chair	✓			
King, T., Vice-chair	✓			
Cook				✓
Corte				✓
Hamric	✓			
Lewis, R.	✓			
Puente	✓			
Shields	✓			
Walker	✓			

Total

7 aye  
0 nay  
0 present, not voting  
2 absent

David Bents  
CHAIR

## **BILL ANALYSIS**

Office of House Bill Analysis

C.S.H.B. 1574  
By: Bosse  
Natural Resources  
4/5/1999  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

A number of older residential subdivisions in Harris county were developed with lots insufficient in size to accommodate individual water and wastewater disposal facilities. These subdivisions are mostly in areas where septic systems are not feasible and a public sewer is unavailable. Households within these subdivisions are currently discharging their untreated sewage into roadside ditches or culverts, causing a public health hazard to the community. Legislation to allow counties to permit the discharge of treated sewage through small, inexpensive land aerobic systems would help reduce public health concerns.

C.S.H.B. 1574 allows a county of 2.8 million or more to permit the discharge of treated sewage into or adjacent to water in this state by a sewage treatment and disposal system if the system meets specified criteria.

### **RULEMAKING AUTHORITY**

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 26, Water Code, by adding Section 26.0405, as follows:

Sec. 26.0405. GENERAL PERMITS FOR CERTAIN SEWAGE TREATMENT AND DISPOSAL SYSTEMS. ON-SITE SEWAGE DISPOSAL SYSTEM. (a) Requires the Texas Natural Resource Conservation Commission (commission), to the extent not in conflict with federal law, to issue one or more general permits for the discharge of treated sewage into or adjacent to water in this state by a sewage treatment and disposal system if: the system produces no more than 5,000 gallons of waste each day; the system is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code (On-Site Sewage Disposal Systems) that has adopted a resolution that authorizes the county to exercise enforcement power and entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit; the system provides sewage treatment and disposal for a single-family residence for which the commission determines a connection to an existing or proposed area-wide or regional waste collection, treatment, and disposal system is not feasible; and the system is on a property that was subdivided and developed before January 1, 1979, and is of insufficient size to accommodate on-site disposal of all wastewater in compliance with Chapter 366, Health and Safety Code.

(b) Provides that a person who discharges under a permit issued under this section is not required to hold a certificate of competency issued under Section 26.0301 (Certificate of Competency), Water Code.

(c) Requires the commission to specify the design, operation, and maintenance requirements and establish the primary and secondary treatment requirements for a permit issued under this section.

(d) Provides that a system for which a permit is issued under this section is subject to design criteria established under Chapter 366, Health and Safety Code, and is not subject to design criteria established under Section 26.034.

SECTION 2. Emergency clause.  
Effective date: upon passage.

## **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute differs from the original in SECTION 1 by adding Section 26.0405 (General Permits For Certain Sewage Treatment And Disposal Systems) to Subchapter B, Chapter 26, Water Code, instead of Section 26.050, (On-Site Sewage Disposal System).



SUMMARY OF COMMITTEE ACTION

HB 1574

March 17, 1999                      2:00PM or upon adjournment

Considered in public hearing

Testimony taken in committee

Left pending in committee

March 31, 1999                      8:00AM

Considered in public hearing

Testimony taken in committee

Committee substitute considered in committee

Recommended to be sent to Local & Consent

Reported favorably as substituted

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

April 2, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB 1574** by Bosse (relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

March 8, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1574** by Bosse (Relating to the permitting of discharges from certain on-site sewage disposal systems in certain counties.), **As Introduced**

No significant fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE, NS

ADOPTED

APR 10 1983

*James C. ...*  
1983

By Bosse

H.B. No. 1574

Substitute the following for H.B. No. 1574:

By Counts

C.S. H.B. No. 1574

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(1) produces not more than 5,000 gallons of waste each day;

(2) is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code, and that has:

(A) adopted a resolution under Section 7.352 that authorizes the county to exercise enforcement power under Subchapter H, Chapter 7; and

(B) entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit;

(3) provides sewage treatment and disposal for a

1 single-family residence for which the commission determines a  
2 connection to an existing or proposed area-wide or regional waste  
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10 (b) A person who discharges under a permit issued under this  
11 section is not required to hold a certificate of competency issued  
12 under Section 26.0301.

13 (c) For a permit issued under this section, the commission  
14 shall for each system:

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16 requirements; and

17 (2) establish the primary and secondary treatment  
18 requirements.

19 (d) A system for which a permit is issued under this section  
20 is subject to design criteria established under Chapter 366, Health  
21 and Safety Code, and is not subject to design criteria established  
22 under Section 26.034.

23 SECTION 2. The importance of this legislation and the  
24 crowded condition of the calendars in both houses create an  
25 emergency and an imperative public necessity that the  
26 constitutional rule requiring bills to be read on three several  
27 days in each house be suspended, and this rule is hereby suspended,

1       and that this Act take effect and be in force from and after its  
2       passage, and it is so enacted.

# HOUSE ENGROSSMENT

By Bosse

H.B. No. 1574

A BILL TO BE ENTITLED

AN ACT

relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0405 to read as follows:

Sec. 26.0405. GENERAL PERMITS FOR CERTAIN SEWAGE TREATMENT AND DISPOSAL SYSTEMS. (a) To the extent not in conflict with state water quality standards or federal law, the commission shall issue one or more general permits for the discharge of treated sewage into or adjacent to water in this state by a sewage treatment and disposal system if the system:

(1) produces not more than 5,000 gallons of waste each day;

(2) is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code, and that has:

(A) adopted a resolution under Section 7.352 that authorizes the county to exercise enforcement power under Subchapter H, Chapter 7; and

(B) entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit;

(3) provides sewage treatment and disposal for a

1 single-family residence for which the commission determines a  
2 connection to an existing or proposed area-wide or regional waste  
3 collection, treatment, and disposal system is not feasible; and

4 (4) is on a property that:

5 (A) was subdivided and developed before January  
6 1, 1979; and

7 (B) is of insufficient size to accommodate  
8 on-site disposal of all wastewater in compliance with Chapter 366,  
9 Health and Safety Code.

10 (b) A person who discharges under a permit issued under this  
11 section is not required to hold a certificate of competency issued  
12 under Section 26.0301.

13 (c) For a permit issued under this section, the commission  
14 shall for each system:

15 (1) specify the design, operation, and maintenance  
16 requirements; and

17 (2) establish the primary and secondary treatment  
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19 (d) A system for which a permit is issued under this section  
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21 and Safety Code, and is not subject to design criteria established  
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26 constitutional rule requiring bills to be read on three several  
27 days in each house be suspended, and this rule is hereby suspended,



H.B. No. 1574

1       and that this Act take effect and be in force from and after its  
2       passage, and it is so enacted.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

April 2, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **HB 1574** by Bosse (relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

March 8, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **HB1574** by Bosse (Relating to the permitting of discharges from certain on-site sewage disposal systems in certain counties.), **As Introduced**

No significant fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Natural Resource Conservation Commission  
**LBB Staff:** JK, DE, NS

1-1 By: Bosse (Senate Sponsor - Brown) H.B. No. 1574  
1-2 (In the Senate - Received from the House April 19, 1999;  
1-3 April 20, 1999, read first time and referred to Committee on  
1-4 Natural Resources; May 5, 1999, reported favorably by the following  
1-5 vote: Yeas 6, Nays 0; May 5, 1999, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the permitting of discharges from certain sewage  
1-9 treatment and disposal systems in certain counties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
1-12 by adding Section 26.0405 to read as follows:

1-13 Sec. 26.0405. GENERAL PERMITS FOR CERTAIN SEWAGE TREATMENT  
1-14 AND DISPOSAL SYSTEMS. (a) To the extent not in conflict with  
1-15 state water quality standards or federal law, the commission shall  
1-16 issue one or more general permits for the discharge of treated  
1-17 sewage into or adjacent to water in this state by a sewage  
1-18 treatment and disposal system if the system:

1-19 (1) produces not more than 5,000 gallons of waste each  
1-20 day;

1-21 (2) is in a county with a population of 2.8 million  
1-22 or more that is an authorized agent under Chapter 366, Health and  
1-23 Safety Code, and that has:

1-24 (A) adopted a resolution under Section 7.352  
1-25 that authorizes the county to exercise enforcement power under  
1-26 Subchapter H, Chapter 7; and

1-27 (B) entered into an agreement with the  
1-28 commission to inspect, investigate, and otherwise monitor  
1-29 compliance with the permit;

1-30 (3) provides sewage treatment and disposal for a  
1-31 single-family residence for which the commission determines a  
1-32 connection to an existing or proposed area-wide or regional waste  
1-33 collection, treatment, and disposal system is not feasible; and

1-34 (4) is on a property that:

1-35 (A) was subdivided and developed before January  
1-36 1, 1979; and

1-37 (B) is of insufficient size to accommodate  
1-38 on-site disposal of all wastewater in compliance with Chapter 366,  
1-39 Health and Safety Code.

1-40 (b) A person who discharges under a permit issued under this  
1-41 section is not required to hold a certificate of competency issued  
1-42 under Section 26.0301.

1-43 (c) For a permit issued under this section, the commission  
1-44 shall for each system:

1-45 (1) specify the design, operation, and maintenance  
1-46 requirements; and

1-47 (2) establish the primary and secondary treatment  
1-48 requirements.

1-49 (d) A system for which a permit is issued under this section  
1-50 is subject to design criteria established under Chapter 366, Health  
1-51 and Safety Code, and is not subject to design criteria established  
1-52 under Section 26.034.

1-53 SECTION 2. The importance of this legislation and the  
1-54 crowded condition of the calendars in both houses create an  
1-55 emergency and an imperative public necessity that the  
1-56 constitutional rule requiring bills to be read on three several  
1-57 days in each house be suspended, and this rule is hereby suspended,  
1-58 and that this Act take effect and be in force from and after its  
1-59 passage, and it is so enacted.

1-60 \* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR

1574

By

Brown

(Author/Senate Sponsor)

5-5-99

(date)

We, your Committee on NATURAL RESOURCES, to which was referred the attached measure, have on 5-4-99, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

☒ do pass and be printed

☐ do pass and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested.

☒ yes ☐ no

A revised fiscal note was requested.

☐ yes ☒ no

An actuarial analysis was requested.

☐ yes ☒ no

Considered by subcommittee.

☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Brown, Chairman	<input checked="" type="checkbox"/>			
Senator Armbrister, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Bivins	<input checked="" type="checkbox"/>			
Senator Haywood	<input checked="" type="checkbox"/>			
Senator Lucio	<input checked="" type="checkbox"/>			
Senator Ratliff			<input checked="" type="checkbox"/>	
TOTAL VOTES	<u>6</u>		<u>1</u>	

COMMITTEE ACTION

S260 Considered in public hearing

S270 Testimony taken

COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

WITNESS LIST

HB 1574  
SENATE COMMITTEE REPORT  
Natural Resources Committee

May 4, 1999 - 2:00P

Registering, but not testifying:

For: Sisk, Cathy (Harris County - Harris County Atty's Office),  
Houston

On: Gromatzky, Lydia G. (TNRCC - Special Counsel), Austin  
Hoffman, Margaret (TNRCC - Director, Environmental Law), Austin

## **BILL ANALYSIS**

Senate Research Center  
76R10978 MXM-F

H.B. 1574  
By: Bosse (Brown)  
Natural Resources  
5/3/1999  
Engrossed

### **DIGEST**

A number of older residential subdivisions in Harris County were developed with lots insufficient in size to accommodate individual water and wastewater disposal facilities. These subdivisions are mostly in areas where septic systems are not feasible and a public sewer is unavailable. Households within these subdivisions are currently discharging their untreated sewage into roadside ditches or culverts, causing a public health hazard to the community. This bill would authorize a county of 2.8 million or more to authorize the discharge of treated sewage into or adjacent to water in this state by small, inexpensive land aerobic systems meeting certain criteria.

### **PURPOSE**

As proposed, H.B. 1574 authorizes a county of 2.8 million or more to authorize the discharge of treated sewage into or adjacent to water in this state by small, inexpensive land aerobic systems meeting certain criteria.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 26B, Water Code, by adding Section 26.0405, as follows:

Sec. 26.0405. GENERAL PERMITS FOR CERTAIN SEWAGE TREATMENT AND DISPOSAL SYSTEMS. (a) Requires the Texas Natural Resource Conservation Commission (TNRCC), to the extent not in conflict with state water quality standards or federal law, to issue one or more general permits for the discharge of treated sewage into or adjacent to water in this state by a sewage treatment and disposal system that meets certain criteria.

(b) Provides that a person who discharges under a permit issued under this section is not required to hold a certificate of competency issued under Section 26.0301, Water Code.

(c) Requires TNRCC to specify the design, operation, and maintenance requirements and establish the primary and secondary treatment requirements for a permit issued under this section.

(d) Provides that a system for which a permit is issued under this section is subject to design criteria established under Chapter 366, Health and Safety Code, and is not subject to design criteria established under Section 26.034.

SECTION 2. Emergency clause.  
Effective date: upon passage.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

May 3, 1999

**TO:** Honorable J.E. "Buster" Brown, Chair, Senate Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB 1574** by Bosse (Relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties.), **As Engrossed**

No significant fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

April 2, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB 1574** by Bosse (relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties), **Committee Report 1st House, Substituted**

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**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

March 8, 1999

**TO:** Honorable David Counts, Chair, House Committee on Natural Resources

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **HB1574** by Bosse (Relating to the permitting of discharges from certain on-site sewage disposal systems in certain counties.), **As Introduced**

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**Source Agencies:** 582 Natural Resource Conservation Commission

**LBB Staff:** JK, DE, NS

# REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 1574, by: Brown,  
(Bill No.) (Author/Sponsor)  
was heard by the Natural Resources Committee on 5-4, 1999,  
and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Carol McGee  
(Clerk of the reporting committee)

**IMPORTANT: THE YELLOW COPY OF THIS FORM AND (1) COPY OF YOUR BILL OR RESOLUTION (COMMITTEE PRINTED VERSION) MUST BE DELIVERED TO THE ADMINISTRATION OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS WILL BE ANNOUNCED ON A REGULAR BASIS.**

Committee Clerks: Original to Calendar Clerk. Pink copy for committee files. Green and yellow copies to bill author/sponsor.  
Author/Sponsor: Green copy for office files. Submit yellow copy to Administration with your bill.

**ENROLLED**

H.B. No. 1574

AN ACT

relating to the permitting of discharges from certain sewage treatment and disposal systems in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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(1) produces not more than 5,000 gallons of waste each day;

(2) is in a county with a population of 2.8 million or more that is an authorized agent under Chapter 366, Health and Safety Code, and that has:

(A) adopted a resolution under Section 7.352 that authorizes the county to exercise enforcement power under Subchapter H, Chapter 7; and

(B) entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit;

(3) provides sewage treatment and disposal for a

1 single-family residence for which the commission determines a  
2 connection to an existing or proposed area-wide or regional waste  
3 collection, treatment, and disposal system is not feasible; and

4 (4) is on a property that:

5 (A) was subdivided and developed before January  
6 1, 1979; and

7 (B) is of insufficient size to accommodate  
8 on-site disposal of all wastewater in compliance with Chapter 366,  
9 Health and Safety Code.

10 (b) A person who discharges under a permit issued under this  
11 section is not required to hold a certificate of competency issued  
12 under Section 26.0301.

13 (c) For a permit issued under this section, the commission  
14 shall for each system:

15 (1) specify the design, operation, and maintenance  
16 requirements; and

17 (2) establish the primary and secondary treatment  
18 requirements.

19 (d) A system for which a permit is issued under this section  
20 is subject to design criteria established under Chapter 366, Health  
21 and Safety Code, and is not subject to design criteria established  
22 under Section 26.034.

23 SECTION 2. The importance of this legislation and the  
24 crowded condition of the calendars in both houses create an  
25 emergency and an imperative public necessity that the  
26 constitutional rule requiring bills to be read on three several  
27 days in each house be suspended, and this rule is hereby suspended,

H.B. No. 1574

1       and that this Act take effect and be in force from and after its  
2       passage, and it is so enacted.

H.B. No. 1574

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 1574 was passed by the House on April 16, 1999, by the following vote: Yeas 136, Nays 0, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 1574 was passed by the Senate on May 13, 1999, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 1574  
(1) was passed by the House

on April 16  
(2), 1999, by the following vote:

Yeas 136, Nays 0 2 present not voting  
(3) (4)

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 1574 was passed by the Senate

on May 13  
(5), 1999, by the following vote:

Yeas 30, Nays 0  
(6) (7)

\_\_\_\_\_  
Secretary of the Senate

APPROVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\*\*\*\* Preparation: CT24;



H.B. No. 1574

By Bosse

A BILL TO BE ENTITLED  
AN ACT

Relating to the permitting of discharges from certain on-site sewage disposal systems in certain counties.

FEB 17 1999 Filed with the Chief Clerk  
FEB 22 1999 Read first time and referred to Committee on Natural Resources  
MAR 31 1999 Reported favorably (~~unfavorably~~)  
(as substituted)  
APR 08 1999 Sent to Committee on ~~(Substituted)~~  
(Local & Consent Calendars)  
APR 16 1999 Read second time (comm. subst.) (~~amended~~), passed to third reading (~~amended~~) by a (non-record vote)  
(~~record vote of 136 yeas, 0 nays, 2 present, not voting~~)  
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting  
APR 16 1999 Read third time (~~amended~~); finally passed (~~failed to pass~~) by a (~~non-record vote~~)  
(record vote of 136 yeas, 0 nays, 2 present, not voting)  
APR 19 1999 Engrossed  
APR 19 1999 Sent to Senate

Sharon Carter  
CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 19 1999 Received from the House  
APR 20 1999 Read and referred to Committee on NATURAL RESOURCES  
MAY 05 1999 Reported favorably \_\_\_\_\_  
Reported adversely, with favorable Committee Substitute; Committee Substitute read first time  
Ordered not printed  
MAY 13 1999 Laid before the Senate  
Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)  
MAY 13 1999 Read second time, \_\_\_\_\_, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)  
MAY 13 1999 Senate and Constitutional 3 Day Rules suspended by a vote of 30 yeas, 0 nays  
MAY 13 1999 Read third time, \_\_\_\_\_, and passed by (a viva voce vote)  
(30 yeas, 0 nays)  
May 13 1999 Returned to the House

OTHER SENATE ACTION:

Betty King  
SECRETARY OF THE SENATE

MAY 13 1999

Returned from the Senate (~~as substituted~~)  
(~~with amendments~~)

House concurred in Senate amendments by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)

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